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## Human Rights Council

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Human rights situations that require the Council's attention

## Written statement\* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[03 February 2020]

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\* Issued as received, in the language(s) of submission only.



## **Right to education for the Rohingya in refugee camps in Bangladesh**

On January 23, 2020, the International Court of Justice (ICJ) in The Hague ordered Myanmar to protect the Rohingya, stating that the Southeast Asian state must do everything in its power to prevent genocide crimes against the persecuted Muslim minority in the country. Hundreds of thousands of Rohingya have fled from Myanmar since 2016, and around 600,000 are still living there.

Since 2016, Myanmar soldiers have murdered thousands of people, destroyed villages, and forced hundreds of thousands of Rohingya to flee from the country. In Cox's Bazaar in neighboring Bangladesh, there are more than 740,000 Rohingya refugees living in several refugee camps. Almost 65 percent of them are women and children. Having fled from an apartheid-like situation in Myanmar/Burma – where they are denied all civil and basic human rights, including citizenship – the Rohingya refugees have been living in Bangladesh for several years, in inhumane conditions with no prospect of returning to their home country. It is especially worrying that they have only very limited access to medical and educational services.

Until a few days ago, there were only very limited and informal education offers for Rohingya children in the educational centers of the refugee camps – as the Bangladeshi authorities decided to exclude young people and adults from education offers outside the refugee camps, based on their ethnic origin. Thus, they were not allowed to study at public and private universities.

On January 28, 2020, the Bangladeshi government announced that it would provide access to schooling under the Myanmar curriculum (up to grade 9) for children up to the age of 14. Young people older than 14 years are to receive so-called "skill training" and are to learn Burmese. This pilot program of the government of Bangladesh and UNICEF is to start in April, initially with 10,000 children attending 6th-9th grade.

After almost two and half years, the government of Bangladesh agreed to allow formal education for Rohingya children. This is great news for the Rohingya, and they are very grateful.

As of now, at least the children can study up to grade 9, and young people have access to skill trainings.

However, the Rohingya are hoping that their children will also be able to attend schools up to grade 10 and that young people will be able to go to university in Cox's Bazaar. The Rohingya believe that it would be possible for Bangladesh to organize this, and that it would be a perfect means to emphasize the country's commitment to humanity. In Myanmar, Rohingya youth were excluded from university studies in 2012. Still, many of them dream of a professional career, and their dreams might come true if Bangladesh helps.

From the viewpoint of the STP, the decision of the government of Bangladesh is a positive development – but, considering the provisions of the UN Convention on the Rights of the Child and the 1951 Convention on the Status of Refugees, not yet sufficient and satisfactory.

In 2017, the Society for Threatened Peoples started to demand comprehensive education for Rohingya children in the refugee camps in Cox Bazar. In our talks with the Bangladeshi ambassador in Berlin, we pointed out the intolerable situation in the refugee camps and the catastrophic consequences of insufficient or even non-existent education. The case of two Rohingya sisters Selina and the 20-year-old Rohima Akter Khushi – who were studying in their second semester at a private authorities in Bangladesh university in Cox`Bazar and were banned from continuing their studies in September 2019 – shows that the authorities of Bangladesh have established a quasi-ban on formal education for the Rohingya. Both sisters were born and raised in the refugee camp of Kutupalong. The exclusion of Rohingya children from education on the basis of their ethnic origin is against the international human rights treaties, which were also ratified by Bangladesh.

With regard to the Rohingya refugees, the government of Bangladesh must fully comply with the following international legal standards.

- a) The Convention on the Rights of the Child (ratified in 1990); in particular Article 2 (non-discrimination), Article 22 (refugee children, special protection for children in trouble), Article 28 (right to education) and Article 29 (educational objectives/educational institutions). Bangladesh also signed the Optional Protocol on Children and Armed Conflict in 2000 and the Additional Protocol (individual complaints procedure) in 2014;
- (b) The provisions of the International Covenant on Civil and Political Rights (ratified in 2000), especially the provisions of Article 2(1) on non-discrimination; Article 26 (equal protection); and Article 27, which states that minorities enjoy the same rights as all others
- (c) The Covenant on Economic, Social and Cultural rights (signed by Bangladesh in 1998), especially Article (2)(2) on non-discrimination, and Article 13 (matters of education). Individual persons can complain to the UN Human Rights commission. "The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms."

It is to be expected that, without access to education, the young Rohingya will look for other ways to achieve a status in society. According to reports we have received, young Rohingya are prone to join criminal gangs, human traffickers, or armed groups. Ensuring a right to education for refugees would also help to prevent the radicalization of the Rohingya youth.

Thus, we consider the following measures necessary – and are thus calling on the Human Rights Council to continue its work in this area:

- The UN Human Rights Council should ensure that the Committee on the Rights of the Child, among others, will prioritize the problem of education for the Rohingya. Similarly, the ICCPR and ICESCR Committees of Experts should encourage the Government of Bangladesh to create more opportunities for Rohingya youth.
- The UN Human Rights Council should demand a statement on the educational situation of refugees in Myanmar and ensure that the refugees will be able to return, unconditionally, to their country of origin. For this, it will be necessary to create conditions in which the Rohingya can return safely.